



CHEMICAL SPECIALTIES

11 7 0201

Hercules Incorporated
P.O. Box 1517
Brunswick, GA 31521-1517
(912) 265-3550

June 19, 1997

United States
Environmental Protection Agency
Region IV
Atlanta Federal Center
100 Alabama Street
Atlanta, Georgia 30303

Attention: Leo Francendese - Federal On-Scene Coordinator

Subject: TERRY CREEK DREDGE DISPOSAL AREA OWNERSHIP

Gentlemen:

The disposal area consists of approx. 72 acres (see marked up tax map Attachment 1). Fifty three (53) acres of this is owned outright by Hercules (see attached copy of warranty deed, Attachment 2). The remaining 19 acres is part of a 140 acre parcel known as the "DuPree Tract".

The Dupree Tract is owned by the Shell Trust and Hercules Incorporated. The Shell Trust owns a 4/5 undivided interest and Hercules owns a 1/5 undivided interest. There is a dispute between the Shell Trust and the J.W. Wells Lumber Company which claims a 1/5 undivided interest.

I am enclosing a study made by a Hercules Engineer in 1967 (Attachment 3.)

I have asked our local attorney to shed some light on the ownership but have not received a reply yet.

I am enclosing the address information of the various parties on a separate sheet (Attachment 4).

Sincerely,

Wayne R. Quinn

WRQ/dbg
f:\wrq\dispute

cc: Greg Luetscher, Office of Regional Counsel



Attachment 1

COUNTY OF GLYNN

I, Mary Jo Hamilton, Deputy, Clerk of the Superior Court of Glynn County, Georgia, (said court being a court of record, having Equity & Common Law Jurisdiction, a Clerk and a Seal) do hereby certify that the attached copy contains and is a true and correct transcript of the Warranty Deed, from Riverside Sales Company, Inc. to Hercules Incorporated

as the same appears of record in Deed Book 16-Z, Page 964, et seq., of the General Records of Glynn County, Georgia.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 3rd day of August, 19 73.

Mary Jo Hamilton
Deputy Clerk Superior Court, Glynn Co., Ga.

A Hec kament 2

GEORGIA, GLYNN COUNTY.

A CONVEYANCE, made this July 3/, 1972, from RIVERSIDE SALES COMPANY, INC., a Georgia corporation with its principal office and place of business in Glynn County, Georgia, as the First Party, to HERCULES INCORPORATED, a Delaware corporation with an office and place of business in the City of Brunswick, Glynn County, Georgia, as the Second Party,

964

WITNESSETH: For and in consideration of the sum of Ten Dollars (\$10.00) cash to it in hand paid by the Second Party at or before the sealing and delivery of these presents, the receipt of which is confessed, and of other valuable consideration, the First Party hereby grants, bargains, sells and conveys unto the Second Party, its successors and assigns, the following described real property, to-wit:

All of that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, Glynn County, Georgia, described and identified according to a print of a plat thereof made by John H. Ringeling, Georgia Registered Engineer No. 751, dated February 15, 1972, and revised on February 23, 1972, entitled, "Spoil Area for Dredged Material from Terry Creek, Brunswick, Glynn County, Georgia", containing fifty (50) acres, and being more particularly described as follows, to-wit: COMMENCING at a concrete monument which marks the intersection of the easterly line of Glynn Avenue, as located on January 11, 1970, with the southerly line of Parkwood Avenue (also known as New Street) and from said beginning point running south 9 degrees 11 minutes 34 seconds west for a distance of 1051.84 feet to a concrete monument; thence south 00 degrees 27 minutes west for a distance of 913.1 feet to a concrete monument, which marks the point on said plat shown as the southwest-erly corner of lands of Hercules Incorporated on said Glynn Avenue; thence south 41 degrees 30 minutes east for a distance of 484 feet to an iron pin; thence south 75 degrees 39 minutes east for a distance of 423.35 feet; thence north 3 degrees 24 minutes east for a distance of 42.7 feet to a concrete monument; thence south 79 degrees 26 minutes east for a distance of 401 feet; thence north 24 degrees 59 minutes east for a distance of 395.29 feet to a concrete monument on the easterly shore of Dupree Creek, which concrete monument marks the place of beginning of the tract herein described; thence south 66 degrees 32 minutes east for a distance of 1163 feet; thence north 37 degrees 43 minutes east for a distance of 1492 feet; thence south 28 degrees 17 minutes east for a distance of 1650 feet, more or less, to the northerly bank of Terry Creek; thence following said northerly bank of said creek and the meanderings thereof in a westerly direction for a distance of 2250 feet, more or less, to the entrance of Dupree Creek into said Terry Creek; thence in a northerly direction following the meanderings of the easterly bank of Dupree Creek for a distance of 1210 feet, more or less, to the point of intersection of the line first above given as south 66 degrees 32 minutes east for a distance of 1163 feet.

A print of said revised plat is attached hereto and made a part hereof for further description and identification of said real property and for all other purposes.

Glynn County, Georgia
Real Estate Transfer Tax
Paid: 25.00
Date: Aug 14 - 1972
Clerk of Superior Court

312° 36' W A
DISTANCE OF
2210 FEET TO
A POINT IN
DUPREE CREEK,
THENCE S66°
32'E A DISTANCE
OF 141 FEET TO
A POINT OF
BEGINNING OF
THIS TRACT.

TO HAVE AND TO HOLD the real property above described and hereby conveyed, together with all and singular the rights, members and appurtenances thereunto belonging or in any manner appertaining unto the Second Party, its successors and assigns, forever in fee simple.

And the First Party hereby warrants and will forever defend unto the Second Party, its successors and assigns, the right and title hereby conveyed in and to the real property above described as against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the First Party has hereunto set its corporate name, affixed its corporate seal and delivered these presents on this the day and year first above written, acting by and through its duly authorized officers.

RIVERSIDE SALES COMPANY, INC.

By *W. Lewis*
President

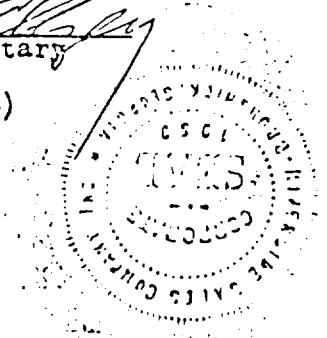
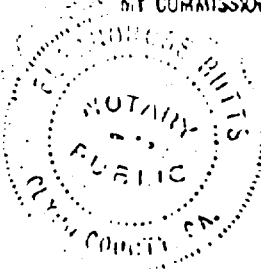
ATTEST:

By *C. M. [Signature]*
Secretary

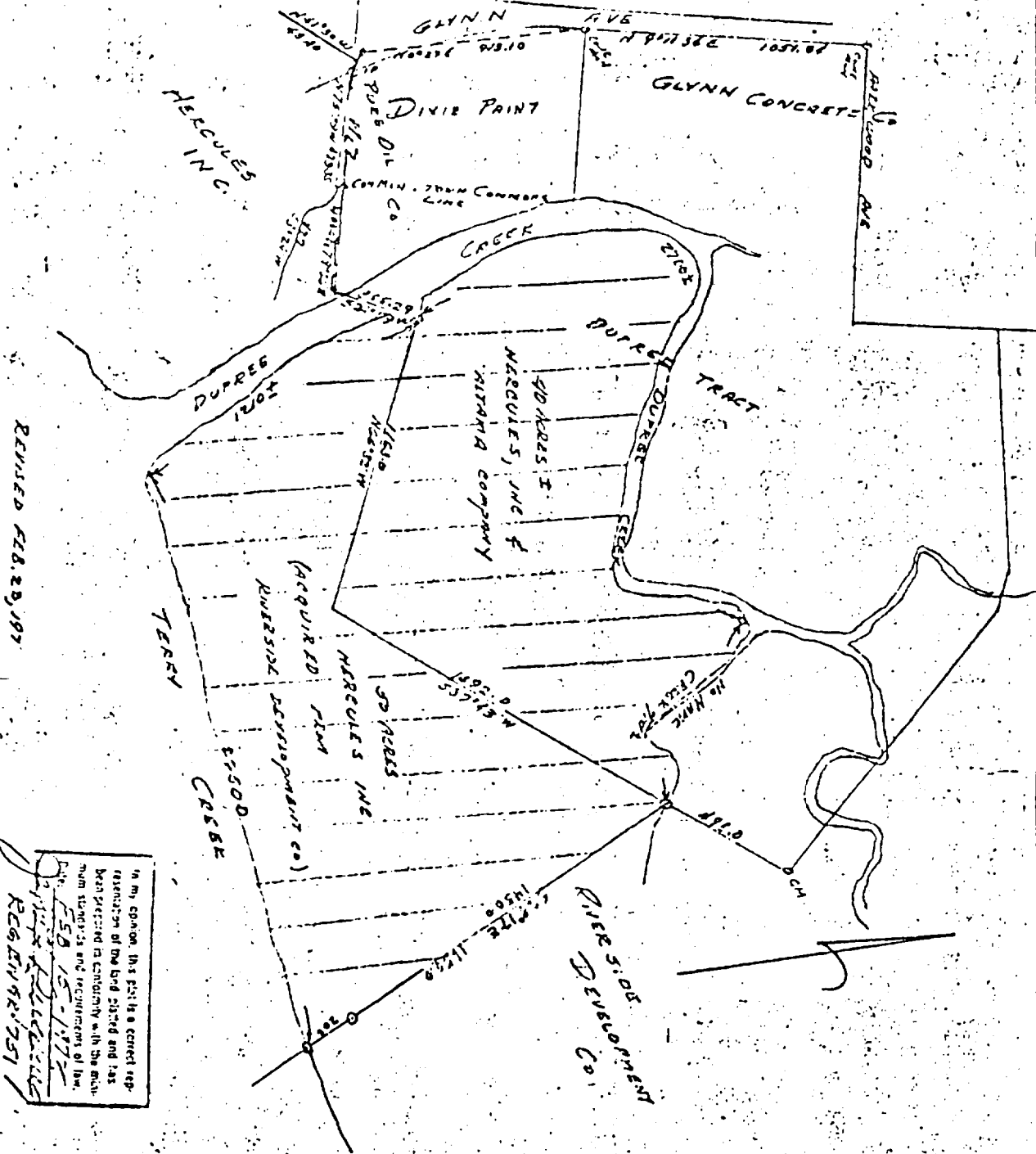
(CORPORATE SEAL)

Signed, sealed and delivered in the presence of:

Judy Stalder
E. [Signature]
Notary Public, Glynn
County, Georgia
MY COMMISSION EXPIRES FEB. 15, 1975



Recorded this 15th day of August, 1972
M. [Signature]
Clerk of Superior Court, Glynn County, Ga.



SPILL AREA FOR DREN
MATERIAL FROM TANK
BRUNSWICK, GLYNN CO.,
Ga. 32114
SCALE 1" = 400'

Attachment 3

cc: W. E. Becker
G. H. Nelson

Brunswick, Georgia
December 15, 1967

W. J. Young

R. Roberson

Information on Dupree Tract

Our interest in this tract of land was purchased from F. M. Scarlett along with 18.65 acres of land which is now part of the plant. Our deed is recorded in Book 3 Z - page 634 of the Glynn County records. Paragraph 2 of the deed reads: "Also all of that 1/5 undivided interest of the said first party in and to that certain parcel of land situate, lying and being in Glynn County, Georgia, consisting of 140 acres, more or less, bounded south, east, and north by salt marsh and marsh lands, which at the time when said 140 acres was granted, were vacant lands, but which were afterwards granted to C. Downing, Jr. and W. E. Burbage, and on the west by a tract of land known for many years as the "Montpieler Tract". The tract of land hereby conveyed being the same tract granted to L. T. Dupree on August 29, 1877, which was recorded in Book S - page 272 of the Glynn County records.

Book S, along with several other Glynn County record books was destroyed by fire around 1930 (according to the vault clerk).

A sketch (attached) of the L. T. Dupree tract is shown in Book 3 U - page 393. The eastern portion is clearly defined with bearings and distances which are shown on later maps. (L. T. Dupree Tract - surveyed by J. H. Ringling in 1956). The Ringling map shows a slight alteration in the north boundary which usurped approximately $2\frac{1}{2}$ acres from the original tract's east portion. The same sketch shows markers both north and south located on the west bank along with a western boundary, but the boundary is not defined by distance or direction.

The original tract was granted to Dupree in 1877 by the governor of the state, and recorded in register AB - page 639 in the Sec. of State's office. In 1888, 3-1/5 undivided interest had been deeded to different persons. In one of the transactions Dupree sold 41 acres of land west of the creek and also conveyed a 1/5 undivided interest in the 140 acre tract. The east boundary of the 41 acre tract was defined as the west edge of the creek, which would overlap a portion of the 140 acre tract. (Book EE - page 217 - 219)

W. J. Young

(2)

December 15, 1967

In checking some of the deeds of the present day land owners adjacent to the Dupree tract I found the following:

Glynn Concrete - their east boundry is the western edge of Dupree's creek. (Book 12-L - page 690)

Riverside Development - the boundry for the 53 acre tract which we are interested in would follow the near side creek bank for the area involved. (Book 8-Q - page 83)

The following land owners are adjacent to the Dupree tract but I have not read their deeds:

Seaboard Construction Company
Oak Park Sub Division
Dixie Paint and Varnish Company

On 12/11/67 I talked with our lawyer, hoping to get some answers on the metes and bounds for this property, but my visit amounted to restating questions which had been relayed to him the previous week. We did talk about land owners along the west bank of Dupree's creek and their claims. Mr. Gilbert said "that with an open deed and 7 years they can claim to the western bank of the creek, and could claim the same in 20 years without a deed". At the present we are waiting to hear from him about the western boundry, and a copy of the original grant from the state, which may or may not answer the acreage question.

Conclusions:

1. After studying quite a few deeds I'm of the opinion that Dupree handled the eastern section of the tract as a whole and always conveyed it as 140 acres, more or less, even though 140 acres, more or less involved lands on the western side of Dupree creek.
2. I believe the original grant amounted to approximately 113 acres. I arrived at this by projecting a western boundry on Ringling's map from the north and south markers which are located on the western bank of the creek.
3. I think that when the western boundry is defined it will probably be the eastern bank of Dupree creek. If this is the case, then we're talking about 1/5 of 98 acres or, 19.6 acres as our share of the Dupree tract. Based on 140 acres this means we will loose 8.4 acres. (28 - 19.6) with about 40% of the acreage being Dupree

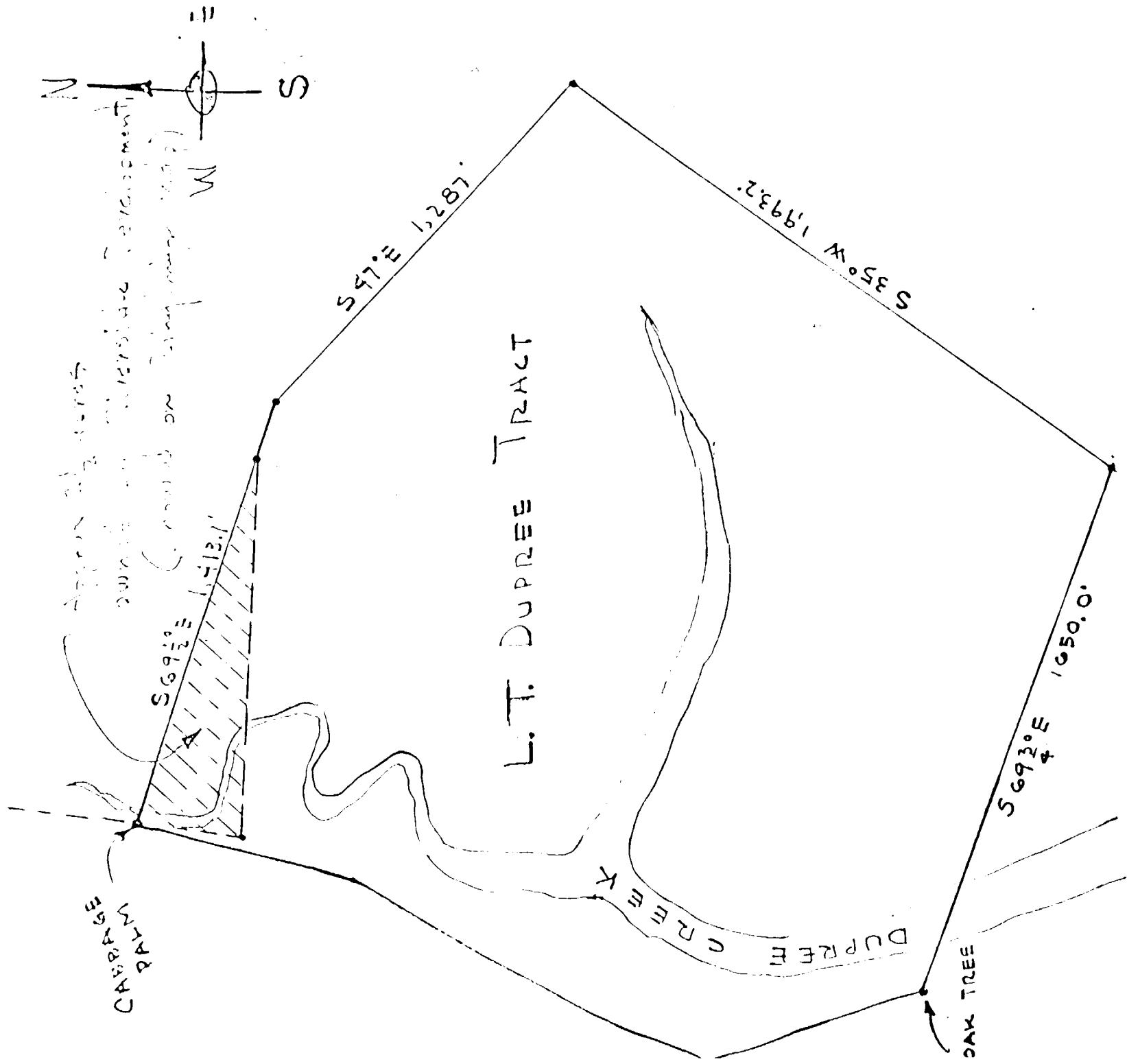
W. J. Young

(3)

December 15, 1967

creek. If based on 113 acres, which I estimate as being the amount granted, then our loss is 3 acres (22.6 - 19.6).

/mjm



Sketch "A"

(From Book 32 pg. 393)

PROPERTY DESCRIPTION

Hercules 1/5 divided interest (21.83 acres) in the DuPree Tract (110 acres or more) jointly owned with the Altama Company.

All of that certain lot, tract or parcel of land situate, lying and being in the City of Brunswick, Glynn County, Georgia, described and identified according to a print of a plat thereof made by John H. Ringeling, Georgia Registered Engineer No. 751, dated January 11, 1970, entitled, "Hercules Inc., 21.81 AC. DuPree Tr. 50.0 AC. Riverside Development Co." containing 21.83 acres, and being particularly described as follows, to-wit: COMMENCING at a concrete monument which marks the intersection of the easterly line of Glynn Avenue, as located on January 11, 1970, with the southerly line of Parkwood Avenue (also known as New Street) and from said beginning point running south 9 degrees 11 minutes 34 seconds west for a distance of 1051.84 feet to a concrete monument; thence south 00 degrees 27 minutes west for a distance of 913.1 feet to a concrete monument, which marks the point on said plat shown as the southwesterly corner of lands of Pure Oil Co. and the northwesterly corner of lands of Hercules Incorporated on said Glynn Avenue; thence south 41 degrees 30 minutes east for a distance of 48.4 feet to an iron pin; thence south 75 degrees 39 minutes east for a distance of 423.35 feet; thence north 3 degrees 24 minutes east for a distance of 42.7 feet to a concrete monument; thence south 79 degrees 26 minutes east for a distance of 401 feet; thence north 24 degrees 59 minutes east for a distance of 385.29 feet to a concrete monument on the easterly shore of Dupree Creek, which concrete monument marks the place of beginning of the tract herein described; thence south 66 degrees 32 minutes east for a distance of 1163 feet; thence north 37 degrees 43 minutes east for a distance of 1492 feet; thence south 72 degrees 36 minutes west for a distance of 2210 feet to a point in Dupree Creek; thence south 66 degrees 32 degrees east a distance of 141 feet to a point of the beginning of this tract.

ATTACHMENT 4

Hercules Incorporated
2801 Cook Street
P.O. Drawer 1517
Brunswick, GA 31521

Attention: David T. Smith, Jr., Plant Manager

Shell Company Trust
Harold L. Friedman, Trustee
2900 Glynn Ave.
P.O. Box 1536
Brunswick, GA 31521

J.W. Wells Lumber Company
1612 Wentworth Drive
Montgomery, ALA 36106-2678



Interoffice Memo

Law Department
Legal Section

*Kathy -
FYI
Wayne*

cc: L. L. Kerstetter - 12352 SE
(w/o enclosure)

Wilmington, Delaware
June 25, 1997

TO: J. K. Buster, Esq. - King & Spalding
F. J. Carlin - RC 8100/229
T. D. Hassett - 9282 SW
F. K. Kinoshita - 1163 NW
W. R. Quinn - Brunswick, GA
D. T. Smith - Brunswick, GA
M. W. Steinberg, Esq. - Morgan Lewis & Bockius

FROM: R. L. Williams - 8321 SE *RLW*

Report on Savannah Toxaphene Incident

Enclosed is the report on the Savannah toxaphene incident. Les Kerstetter has advised that our records do not contain any other water related toxaphene incidents in Georgia. The records he searched began in January 1971 and contain the reports on all transportation related incidents of which Hercules was notified.

This information establishes that toxaphene was not spilled in Terry Creek, as had been rumored by the Corps.

I believe that is appropriate for Wayne Quinn to share this information with Kathy Morgan at the Corps and Leo Franscendese at EPA. I will make sure it is incorporated into our supplemental comments.

RLW/ksc
Enclosure

*Fed Ex
To Leo & Kathy*

HERCULES INCORPORATED

cc: J. H. Little - Operations - Wilm.
G. E. Cain - Safety - Wilm.
P. W. Best - Operations - Wilm.
G. C. Dunn - Brunswick
K. Horton - Brunswick
✓ L. L. Kerstetter - D&S - Wilm.
E. Wolper - Legal - Wilm.
C. Dunn - Boots - Hercules

July 18, 1979

TO: E. P. Whaley - Operations - Wilm.

FROM: F. D. McCauley - Savannah

Supplementary HEAP Report No. 3
Toxaphene Spill - Savannah, Ga., July 11, 1979

The Toxaphene discharge from drums at the Georgia Ports Authority docks on July 11 has been reported by Mr. David T. Smith, Jr. earlier with additional information in Supplementary Reports.

On Wednesday morning July 18, Lt. Johnson, Investigative Officer in the matter telephoned. "Claw sampling" of the river bottom had revealed the presence of material that they are convinced is Toxaphene. Their data indicates an area some 20 ft. by 60 ft., located some 15 feet from the edge of the dock. The material was waxy - sticky, with a strong odor similar to chlorine, and had a "melting point" that confirmed it to be Toxaphene. The Coast Guard intends to remove this material and estimates that 100 cubic yards of material will have to be disposed of in a suitable manner. Lt. Johnson asked if Hercules had a suitable disposal site at Brunswick and could the dredgings be disposed of there. Later, the answer was phoned to Lt. Johnson by Mr. Henry Harvey, Brunswick Plant, indicating that there was insufficient volume for this material at Brunswick. Mr. Harvey suggested that there was an approved disposal site in Pinewood, S. C., that should be considered. In a still later phone call, Lt. Johnson informed me that the Coast Guard was making arrangements for "hopper and box cars" (sic) and that they would begin dragline recovery operations this afternoon.

J. D. McCauley

FDM/mth

HERCULES INCORPORATED

cc: P. W. Best, Operations, 7th Fl., Wilmington
E. P. Whaley, Operations, 7th Fl., Wilmington
F. D. McCauley, Savannah
G. C. Dunn
H. H. Harvey

Brunswick, Georgia
July 19, 1979

L. L. Kerstetter, Room 1531
Wilmington

K. T. Horton

H.E.A.P. CALL - TOXAPHENE SPILL

SAVANNAH DOCKS-JULY 11, 1979

I received your call on July 11, 1979, at 10:10 a.m. indicating that eight 55 gal. drums of toxaphene had been dropped at the Georgia Ports Authority Dock and spilled on the dock with some entering in the Savannah River.

I immediately contacted Mr. Dave Smith, Assistant Manager of the Savannah Plant, and requested that someone from the Savannah Plant go to the Georgia Ports Authority Dock and clean up the toxaphene. I advised that as much material as possible should be cleaned up with a shovel and put into open-head drums and returned to our plant for disposal. Any residual material could best be absorbed using dirt or some other absorbent material and this cleaned up and put into drums and also returned to our plant.

At approximately 10:20 a.m., Dave Smith called back and indicated that Ron Fritz of the Georgia Ports Authority had already contacted him and said that five men had been taken to the hospital with toxaphene on them. I advised Dave that this should not effect the people at all but simply should be cleaned off of the skin using gasoline or some other solvent and soap and water. Dave also advised that some of the material had splashed into the river and a sheen was apparent on the water. This was thought to be xylene and I advised that an absorbent boom could be used very effectively to remove this sheen. Due to the serious nature of this incident, Dave Smith proceeded to the dock to direct the clean up activities of the toxaphene himself. We conversed several times from a pay phone at the dock, being kept aware of the progress on frequent intervals. During this time it was pointed out that the Coast Guard had Commander Carlton, who is in charge of the Savannah unit, on the scene. Also, a member of EPA was on the scene, however, Mr. Smith did not positively identify or ask for any identification. The Coast Guard was requesting people to wear Scott Air Masks and taking precautions that were thought unnecessary for toxaphene solution. Dave Smith requested that I contact Lt. Bill Cummins of the Coast Guard and give a press release because members of the press on the scene were pressing Commander Carlton for a statement. You will find

L. L. Kerstetter
Page 2
July 19, 1979

attached prepared statement given to Lt. Bill Cummins at 12:15 p.m. on July 11, 1979, after discussing the composition with Ed Whaley and Bill Hawksworth. Later in the day, clean up operations were complete along with removal of the toxaphene from the surface of the overhead crane with kerosene and rags.

Mr. Fred McCauley, Plant Manager of Savannah, met with various groups concerning this spill and on July 16, 1979, contacted me in request that someone contact the Task Force on Toxaphene in Savannah. I requested Mr. Fred Huebner, Technical Superintendent, to call and discuss the effects of toxaphene with this group. He talked with them on the morning of July 16, and advised that the toxaphene would have separated from the xylene and settled to the bottom of the river and would best be left where it was to be covered by silt and if no fish kill had occurred to date, no harmful effect on marine life could be expected.

On July 18, Lt. Johnson of the U. S. Coast Guard contacted Henry Harvey requesting information on disposal of approximately 100 cubic yards of toxaphene contaminated silt which was to be removed from the bottom of the Savannah River. He advised Lt. Johnson that we could not put this in our landfill because of the tremendous volume and also restrictions in depositing material in our landfill site. We suggested that he possibly make arrangements with the Hazardous Landfill in Pinewood, South Carolina. He requested the information on this site and Henry Harvey agreed to get this information and call him back. At 2:00 p.m., on July 18, 1979, Henry Harvey called Lt. Johnson and gave him the address of the Hazardous Landfill site in Pinewood, South Carolina and also advised him that our recommendation would be to leave the material on the bottom of the river and not remove or stir it. More toxaphene would enter the water under those conditions than leaving the material where it was at present. At this point, it appears that the Task Force on Toxaphene is determined to remove the material from the bottom of the river.

KTH/mc

Attachment



Brunswick, Georgia
July 11, 1979

PRESS RELEASE

TOXAPHENE SPILL AT GEORGIA PORTS AUTHORITY DOCKS

SAVANNAH, GEORGIA

JULY 11, 1979

A spill of Toxaphene Solution used commonly as a cotton pesticide occurred this morning at the State Docks. This material is 90% Toxaphene which is a chlorinated hydrocarbon, and I understand that a small quantity spilled into the Savannah River.

This toxic material is being cleared up at the docks under the supervision of a Hercules Representative at this time and should be completed shortly.

Because of the small amount of Toxaphene and the dilution effect of the river, it should not have any harmful effect on marine life.

→ K.T.Horton/mc

cc: G. C. Dunn
H. H. Harvey

(This information given to Lt. Bill Cummins of the Coast Guard at 12:15 p.m.,
July 11, 1979 - phone 232-4321)

Secured cooperation with Ed Whaley and Bill Hawthorne.

cc: H. Little - Operations - Wilm.
J. E. Cain - Safety - Wilm.
P. W. Best - Operations - Wilm.
G. C. Dunn - Brunswick
K. Horton - Brunswick
L. L. Kerstetter - D&S - Wilm.
E. Wolper - Legal - Wilm.
C. Dunn - Boots - Hercules

July 17, 1979

TO: E. P. Whaley - Operations - Wilm.

FROM: F. D. McCauley - Savannah

Supplementary HEAP Report No. 2
Toxaphene Spill - Savannah, Ga., July 11, 1979

The Toxaphene discharge from drums at the Georgia Ports Authority docks on July 11 has been reported by Mr. David T. Smith, Jr. earlier with additional information in Supplementary Report No. 1 dated July 13.

On Monday afternoon July 16, I was invited to join a meeting already underway at the U.S. Coast Guard office in Savannah. The scientific investigation of the discharge of Toxaphene at the Savannah docks had been turned over to the National Oceanic & Atmospheric Administration "NOAH". NOAH will eventually make recommendations to the Coast Guard as to further action relative to the material in the river.

Present were: Mr. Bob Hannah, NAOH Coordinator; Mr. Don Freeman, U.S. Fish & Wildlife Service (Brunswick); W. Neil Billings, University of South Carolina, Chemistry Department; John Westcott, University of South Carolina, Chemistry Department; Nydia Burdick, University of South Carolina, Chemistry Department; Dr. James W. Andrews, Savannah Laboratories & Environmental Services, and Lt. S. E. Johnson, U.S. Coast Guard (intermittently present).

The basic discussion had been under way for some time. The information desired of Hercules was a characterization of Toxaphene behavior in the river bottom environment. Analyses of the samples removed on July 11 had failed to reveal the presence of any Toxaphene with the single exception of a trace in one sample. Hercules personnel who are knowledgeable in Toxaphene technology and environmental responses in water systems were not available on Monday, but on Tuesday morning Mr. Hannah talked with Fred Huebner of the Brunswick Plant. Primary subject of the discussion was how would the Toxaphene act in water. All the replies - "drops like a rock" - "very insoluble", "Xylene" would probably separate but very slowly from surface

and emphasis on the absence of fish kill in other discharges - were all consistent with the information presented earlier, largely by Mr. C. Dunn. At the close of the meeting, Mr. Hannah indicated to me his intention to continue sampling of the water and river bottom in hopes of finding the Toxaphene in a concentrated form that would permit recovery. If this were not the case, he would recommend that the Coast Guard discontinue sampling and fall back on a intensive waterfront surveillance for possible downstream fish kills. As oysters had been indicated as one possible biological magnification system, sampling of oysters from downstream beds would probably also be a part of his recommendation.

J. P. McLaughlin

FDM/mth

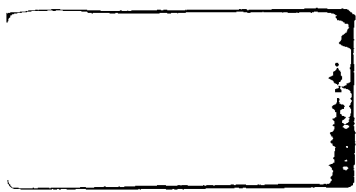
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U.

~~G. C.~~
~~L. L.~~

11/11/2011



July 13, 1979

SUPPLEMENTARY HEAP REPORT NO. 1
SAVANNAH, GEORGIA - JULY 11, 1979

The HEAP report on the Toxaphene drum discharge to the Savannah River at the Georgia Ports Authority docks on July 11 have been reported by Mr. David T. Smith, Jr. On July 12, additional actions were as follows:

- (1) The Atlanta office of the Environmental Protection Agency was contacted (Mr. Allen Bartlett), and it was confirmed that proper notification to the EPA had indeed been received. Further it was stated that the U.S. Coast Guard was the Federal Agency in responsible control of the situation.
- (2) On the afternoon of July 12th, Lt. S. E. Johnson of the Coast Guard was contacted. Mr. Johnson is the officer in charge of investigation of the current incident. With the offer of Hercules assistance, Mr. Johnson suggested that a meeting at the Coast Guard office would be greatly appreciated. This meeting was indeed held at the Federal Building, offices of the U.S. Coast Guard.

Present for Coast Guard:

Commander Jerry Carlton, (Captain of the Port); Lt. Cmdr. John's Executive Officer: Lt. Johnson, Investigative Officer.

Present for Fish & Wildlife:

Mr. John Davis,, Manager of Fish & Wildlife Preserves,
Coastal area - South Carolina and Georgia.

Present for Hercules and Boots Hercules:

Mr. C. L. Dunn, Manager of Regulatory Affairs (BH); Mr.
Ed Wolper, Legal Dept. (H) and Fred McCauley, Plant Manager,
Savannah Plant.

A general review of the situation was held with the following points made or areas of concern expressed:

- (1) Captain Carlton (principal speaker for the Coast Guard) indicated that the particulars of the spill itself seemed reasonably clear and that their estimate of the quantity involved was 300 gallons. He further indicated that they were pleased with the response and cooperation of the people involved and that they were satisfied in general with the clean-up dockside. Samples of both water and mud from the river bottom along side the dock and some 100 feet both far and aft of the ship at dockside have been taken and forwarded for analysis. Additional samples on the channel side of the ship were also taken for analysis by the Skidaway Institute of Oceanography.

- (2) Mr. Davis of U.S. Fish & Wildlife Services expressed concern that no efforts were planned to "recover the material" and he stressed that the chemical involved was extremely toxic to fish.
- (3) The potential location of the Toxaphene discharged was hypothesized as either directly at the dockside on river bottom or possibly both up and down the river having been distributed by the scouring action of the river and tidal flows (estimated at some 5 knots per hour). The potential of Toxaphene absorption in silt and bottom material, its gradual sinking into bottoms silt, and the general potential for immobilization, was brought forth by Mr. Dunn. In Hercules experience with Toxaphene contamination of other water bodies, no fish kill had been observed unless emulsifier had been present to disperse the Toxaphene. Mr. Robert Reinmold of the Georgia Department of Natural Resources was cited as having studied such systems in Georgia in the past.
- (4) An inquiry as to any observations of fish kills in the river since this spill was answered in the negative by the Coast Guard. Captain Carlton telephoned a local towing concern to obtain their observations, likewise negative.
- (5) In further review of the incident itself, the Coast Guard confirmed that their investigation indicated that all 8 drums had been in the fork frame lifting device (ie, there were 2 pallets in the air) and that all 8 had fallen the 25 or so feet to the deck. The nature of the damage to the drum and the observation that the pallet on the ground was upside down (the bottom pallet remained on the lifting device) all confirmed the lifting of the 8 drums at one time. (Note: Hercules had indication earlier of the lifting of double pallets from a stevadore at dockside).
- (6) Captain Carlton indicated that before he took any further action (implied to remove material from river bottom through dredging) that he would wait on the analyses. If these were negative, he would then take a second set to be doubly sure before closing the investigation. He anticipated that preliminary analyses would be available on Friday, July 13th.
- (7) Fred McCauley, the local Plant Manager was agreed upon as a "convenient" contact point for any further assistance that the Coast Guard might require, and the meeting was closed quite amicably.

J. P. McCauley

HERCULES INCORPORATED

July 13, 1979

TO: D. H. Little - Operations - Wilm.
G. E. Cain Safety - Wilm.
P. W. Best - Operations - Wilm.
G. C. Dunn - Brunswick
E. P. Whaley - Operations - Wilm.
~~L. L. Kerstetter - D&S - Wilm.~~
E. Wolper - Medical - Wilm.
C. Dunn - Boots - Hercules

FROM: D. T. Smith, Jr. - Savannah





APPENDIX 1D

HERCULES EMERGENCY ASSISTANCE PROGRAM ACCIDENT INVESTIGATION FORM

DATE CONTACTED: July 11, 1979 TIME: 10:00 AM ARRIVED AT SCENE: July 11, 1979 10:25 AM
Date Time

OFFICIALS IN CHARGE AT SCENE (Names and addresses): (See attached sheet)

EPA Mr. John Davis-

Ga. Ports Authority - Mr. John Donaldson, Ron Fritz, & John Powers: U.S. Coast Guard-
Comm. Jerry, Carlton, Lt. Steve Jones.

Reports Requested None - Coast Guard sampled the river (water and bottom) near spill.

PEOPLE INJURED AND NATURE OF INJURIES: (Include name and telephone of treating physician):

Several longshoremen who were splashed with toxaphene were taken to Memorial Hospital for precautionary observation. They were released within a few hours. A City of Savannah Policewoman was admitted to Memorial Hospital for respiratory problems as the result of being on the scene near the spill for approximately 10 minutes. She remained in the Hospital overnight. Names of injured are attached on a separate sheet.

PROPERTY DAMAGE:

After clean up operations were completed, there appeared to be no permanent property damage.

DESCRIPTION OF ACCIDENT: (Attach sketch or pictures):

Eight 55 gallon drums of 90% Toxaphene Solution were ruptured while being loaded onto the African Meteor. The contents of the 8 drums spilled onto the dock and into the Savannah River.

CAUSE OF ACCIDENT:

The original story concerning the accident stated that a pallet containing 4 drums of Toxaphene broke while being hoisted onto the ship, causing the drums to fall on top of 4 other drums sitting on the dock, with all 8 drums rupturing. However, during a conversation with a witnessing longshoreman, the following day, he indicated that two pallets of 4 drums each stacked on top of each other were being lifted when the bottom pallet broke causing all eight drums to fall to the dock at the same time. Based on the final position of the drums after accident, the double pallet fall appears very likely.

RECOMMENDATIONS MADE AND/OR ACTION TAKEN:

Spill on the dock was cleaned by absorbing into dirt and absorbent clay and then shoveled into drums. The recovered Toxaphene will be shipped to our Brunswick, Ga. Plant for disposal in an approved landfill site. Hercules personnel from the Savannah Plant plus assistance from a private firm (Coastal Divers and Pollution control) handled the clean-up operations.

Copies to:

SAFETY DEPT.

OPERATIONS

DISTRIBUTION &
SUPPLY DEPT.

OTHER

LEGAL DEPT.

Signed

D. T. Smith, Jr.

Date

7/13/79

Officials in Charge at Scene

Mr. John Donaldson	-	Manager Transportation Services Ga. Ports Authority P. O. Box 2406 Savannah, Ga. 31402 912-964-1721
Mr. John Powers	-	Assistant Director of Public Affairs Ga. Ports Authority P. O. Box 2406 Savannah, Ga. 31402 912-964-1721
Mr. Ron Fritz	-	Safety Information Officer Ga. Ports Authority P. O. Box 2406 Savannah, Ga. 31402 912-964-1721
Comm. Jerry Carlton	-	United States Coast Guard Federal Building Savannah, Ga. 31402 912-232-4321
Lt. Bill Cummings	-	U. S. Coast Guard - Information Officer Federal Building Savannah, Ga. 31402 912-232-4321
Lt. Steve Jones	-	Investigation Officer U. S. Coast Guard Federal Building Savannah, Ga. 31402 912-232-4321
Mr. John Davis	-	E.P.A. (Local Representative for Federal E.P.A.) Federal Wildlife Refuge Federal Building Savannah, Ga. 31402 912-232-4321
Mr. John Nasworthy (Owner)	-	Coastal Divers and Pollution Control 120 Brannen Drive Savannah, Ga. 31410 912-897-2398

Names and Addresses of Persons Receiving Medical Attention (Including
Precautionary Observation) as a result of Toxaphene Spill on 7/11/79.

<u>Name</u>	<u>Address</u>	<u>Condition</u>
<u>Longshoremen</u>		
Joseph L. Miller	1220 Augusta Ave. Savannah, Ga.	Observed at Memorial Hospital and released.
Moses Jackson	202 Way Street Savannah, Ga.	Observed at Memorial Hospital and released.
Isreal Bryant, Sr.	401 Tuten St. Savannah, Ga.	Observed at Memorial Hospital and released.
Henry Lee Roberts	1421 New Castle St. Savannah, Ga.	Observed at Memorial Hospital and released.
Charles Roscoe	2107 Crenson St. Savannah, Ga.	Observed at Memorial Hospital and released.
City of Savannah Policewoman - Beverly Lingle	Address Unknown.	Admitted to Memorial Hospital for overnight observation.

River Cleanup Initiated After Chemical Spill

By DENNIS O'BRIEN
Staff Writer

Clean-up operations were put into practice Wednesday after an undetermined amount of insecticide spilled into the Savannah River.

The spill, which was investigated by the U.S. Coast Guard, occurred when eight 55-gallon drums of insecticide fell on a wharf at the Georgia Ports Authority Garden City terminal and broke open, according to John Powers, a spokesman for the agency.

The insecticide, which is used to kill boll weevils in cotton plants, spilled at about 9:35 a.m. Wednesday as it was being loaded with an overhead crane onto the New York-based freighter, "African Meteor," a Coast Guard spokesman said.

The exact cause of the spill has yet to be determined, but the drums fell onto the dock from the crane while they were transferred, said Coast Guard spokesman Bill Cummins.

Cummins said there are no exact estimates of how much insecticide spilled into the river from the dock, but said 90 percent of it, a chemical known as toxaphene, sank to the bottom.

Another 10 percent of the insecti-

cide, xylene, floated on top of the water and was collected from the surface by Coast Guardsmen using absorbant pads, Cummins said.

No one was injured in the incident, according to Coast Guard and port officials.

Powers said the insecticide had been shipped overland from Brunswick by Hercules, a Delaware-based firm with facilities in Georgia.

A spokesman for Hercules came from Brunswick to explain the properties of the chemicals and to get a firsthand report of what happened, Powers said.

The shipment was brought from Brunswick for shipment from the Savannah terminal, he said.

The insecticide that spilled onto the dock was cleaned up Wednesday by crews spreading sand over the wooden piers. The sand was then hauled off for dumping at a federally approved site, Powers said.

The spill occurred at Berth 55 inside the terminal complex about three miles west of downtown Savannah, Powers said.

SHOWBOAT 10415 ABERCORN
921.6.11.24

First Annual Regatta
\$1000.00

Yellow Copy

Wilmington, Delaware
July 11, 1979

TO: K. T. Horton - Brunswick
D. R. Barineau - Operations
L. D. West - Safety
R. S. Waritz - Medical
E. Walper - Law
R. B. Douglas - Public Relations
F. L. Leuze - Atlanta
J. A. Satterfield - WRO

FROM: L. L. Kerstetter

H.E.A.P. Call

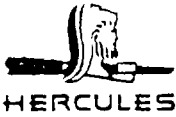
July 11, 1979 at approximately 9:57AM H. Manning of CHEMTREC called to report that eight 55 gal. drums of toxaphene were dropped and leaking at the Savannah Ports.

Ron Fritz and John Donaldson of the Ga. Port Authority (912-964-1721) called CHEMTREC for emergency assistance and clean up procedures.

K. T. Horton at Brunswick was contacted at 10:00AM and accepted responsibility for handling the call.

At 10:27AM H. Manning called to advise that 5 men had been taken to the Chandler Gen. Hospital (912-233-1368) (Dr. Dorsner). Mr. Horton was advised at 10:30AM.


LLK/jk



APPENDIX 1A

11 7 0.89

EMERGENCY CALL INFORMATION SHEET

DATE: 7-11-79 TIME: 9:57 AM INFORMATION TAKEN BY: L.L.K.1. Who is calling? H. Manning - CHEMTREC
Ron Fritz or John Donaldson - Savannah Ga - G2. Port Authority2. Where are you located? Savannah, GA3. How can we call you back? (Area code and number) 912-964-1721

4. Type of emergency:

Warehouse _____

Transportation: Rail _____ Highway _____ Air _____ Water X5. What happened? Where? When? 2 drums of toluene broke open

6. Name of Hercules' and other products involved; type of containers; quantities:

<u>Exact Product Name</u>	<u>Containers</u>	<u>Quantity</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. Shipping point: _____

Destination: _____

8. Injuries, if any: 10:02 - CHEMTREC called back and advised 5 men were taken
to Chandler Mem Hosp. 912-233-1368 - Dr. Dorsner

9. Property damage: _____

10. Possible hazards: _____

11. Unusual conditions (weather, populated area, etc.) _____

REQUEST CALLER TO STAND BY TELEPHONE UNTIL
CONTACTED BY A HERCULES REPRESENTATIVE

1-5

10:00 AM called K.T. Horton - Brunswick
10:30 AM advised " "

Wilmington, Delaware
July 16, 1979

H.E.P.A. - Toxaphene - Savannah, Ga.

7/11/79

- 1 - K. T. Horton = Dave Smith Savannah plant went to the port.
- 2 - R. Hanson Booth-Hercules = Chuck Dunn was stopped at Washington, DC airport and sent to Savannah.

7/12/79

- 1 - R. Hanson = Chuck Dunn and Ed Walper are in Savannah to handle. EPA was on location as was the Coast Guard and local News personnel. Dave Smith was on local news. All five persons that were taken to hospital were treated and released. One was splashed on the arm with toxaphene. The other four inhaled the fumes.
- 2 - Dave Smith = There will be a meeting today with Booth-Hercules and the Ga. Port Authority. EPA claimed material was very toxic.
- 3 - H. Harvey - Brunswick = Drums (16ga.) were strapped four to a wooden 4 way pallets. Ship crain was used to load. A device resembling the forlks of a forlk lift was used instead of a stevedore pallet to lift the pallets on board the ship. When the first pallet reached a height of about 45 feet it broke with the four drums landing on top of four drums sitting on the ground. The contains of about 7 drums ran into the river. Policewoman now said she was over come with fumes.

11 7 0201

July 16, 1979

- 4 - J. A. Satterfield = Ship is required to load shipments.
Order required palletize shipment.
Sold FAS - Savannah to ICI.

7/13/79

- 1 - H. Harvey = Clean up crew found out that two pallets
were being lifted at once. Testing of
river is negative. They are now letting
things settle down.

LLK/jk



MEDICAL DEPARTMENT

Wilmington, Delaware
July 13, 1979

TO: P. W. Best - Room 766
E. D. Crittenden - Room 866
G. C. Dunn - Brunswick
D. L. Farrell - Room 432
J. F. Flanders - Medical
J. F. Frawley - Medical
K. T. Horton - Brunswick
R. M. Miller - 17th floor
D. T. Smith - Savannah
E. P. Whaley - Room 832
E. Wolper - Room 1361

TO: → L. L. KERSTETTER - ~~Room 1531~~
J. R. HANSEN - Room 1231
FROM: R. S. WARITZ - Medical *RSW*

4th FL

Toxaphene Spill in Savannah, GA Harbor -
TSCA Sect. 8e Advisory No. 10

Ref: Telephone calls July 11, 1979

I do not believe that the subject spill requires a TSCA 8e emergency notification to EPA because:

1. EPA was notified by the US Coast Guard under the Federal Water Pollution Control Act. I have verified this in a telephone conversation with Lt. Cdr. Johns of the USCG in Savannah and Dave Smith of our Savannah plant verified it by telephone with the Region IV EPA office. According to March 16, 1978 8e guidance, EPA need not be notified twice in such a situation.
2. Toxaphene is a pesticide regulated under the Federal Insecticide, Fungicide, and Rodenticide Act and thus technically is not subject to the TSCA.

I do not believe the incident represents an on-going substantial risk to human health and the environment. Therefore, I do not believe that a regular 8e notice to EPA is indicated.

If you disagree with my decisions, you may notify EPA yourself. Notification procedures are given in Section IX of the March 16, 1978 EPA guidance; copies of which are available on your site. If you wish, I will send you a copy on request. If you choose to notify EPA, Hercules Incorporated cannot discriminate against you in the future based on the notification. Notifying me as you did on May 18 relieves you of any future civil or criminal liability under Section 8e of the Act.

RSW:law



MEDICAL DEPARTMENT

Wilmington, Delaware
July 16, 1979

TO: P. W. Best - Room 766
E. D. Crittenden - Room 866
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J. P. Frawley - Medical
J. R. Hansen - Room 1231
K. T. Horton - Brunswick
L. L. Kerstetter - ~~Room 1931~~
R. M. Miller - 17th floor
D. T. Smith - Savannah
E. P. Whaley - Room 832
E. Wolper - Room 1361

FROM: R. S. Waritz - Medical *RSW*

Toxaphene Spill in Port of Savannah, GA

Correction, July 13 letter: RSW to Kerstetter/Hansen

The date in the last paragraph of this letter should be July 11, 1979,
no May 8, 1978.

RSW:law